DUANE MORRIS LLP

09/375,695

GE-06987A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: 2855

HOYLE ET AL.

Serial No.: 09/375,695

Examiner: Jewel V. Thompson

Filed: August 17, 1999

For: CONSTANT-TEMPERATURE-DIFFERENCE FLOW SENSOR, AND Attorney Docket: GE-06987A

INTEGRATED FLOW, TEMPERATURE, :

Date: July 14, 2006

AND PRESSURE SENSOR

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Honorable Commissioner of Patents and Trademarks

Box Petitions

Attention: Steven Brantley

LETTER TO OFFICE OF PETITIONS

Dear Mr. Brantley:

This case was filed in 1999, and is apparently in limbo. Its present status on PAIR is listed as abandoned for failure to pay the issue fee.

The issue fee was never received, as evidenced by some of the attached documents. A PETITION TO WITHDRAW HOLDING OF ABANDONMENT was timely filed, but appears not to have been docketed or acted upon by the PTO.

A cause of the present situation may be that the Patent and Trademark Office continued to use an old mailing address long after a change of address was received.

09/375,695

GE-06987A

Applicant requests that the PETITION of April 4, 2003 for withdrawal of the holding of abandonment be acted upon.

It appears that this PETITION has been submitted to the PTO on two additional occasions following the original mailing.

Sincerely,

William H. Meise Reg. No. 27,574

William H. Meise
Duane Morris LLP
240 Princeton Avenue, Suite 150
Hamilton, NJ 08619-2304
P.O. Box 5203, Princeton, NJ 08543-5203

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WHM/abc

Enclosures:

Simplified Chronology

Copy of Change of Address filed 03/22/02 (1 page)

Copy of Request/Corrected Filing Receipt (1 page)

Copy of sheet with PTO date stamp (1 page)

Copy of Notice of Abandonment (2 pages)

Copy of Petition to Withdraw filed 04/04/03 (2 pages)

Copy of Docket file jacket (1 page)

Copy of attorney's office records 09/26/02 to 10/10/02 (4 sheets)

Copy of Facsimile transmittal sheet 10/17/03 (1 sheet)

Copy of Facsimile transmittal sheet to Douglas Wood 01/20/04 (3 sheets including PTO auto reply)



Duane Morris

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AUG 2 1 2006

DUANE MORRIS LLP

100 AMERICAN METRO BOULEVARD, SUITE 150

FIAMILTON, NJ 08619-2304

P.O. BOX 5203

PRINCETON, NJ 08543-5203 PHONE: 609.631.2400

FAX: 609.631.2401

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A Delouere United limbility portage kip PRANK A. LUCHAK, RESIDENT PARTNER

FACSIMILE TRANSMITTAL SHEET

To:

Attention: Mr. Steven Brantley - Box Petitions

FIRM/COMPANY:

USPTO

FACSIMILE NUMBER:

571-273-8300

CONFIRMATION

TELEPHONE:

FROM:

William H. Meise

DIRECT DIAL:

609.631.2453

DATE:

August 21, 2006

USER NUMBER:

4215

FILE NUMBER:

ATTORNEY DOCKET NO.: GE-06987A APPLICATION SERIAL NO.: 09/375,695

FILED: 08/17/1999 ART UNIT: 2855

TOTAL # OF PAGES:

Twenty-one (21)

(INCLUDING COVERSHEET)

MESSAGE: PLEASE SEE ATTACHED.

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLPASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 609.631.2400.

PAGE 1/21 * RCVD AT 8/21/2006 11:37:21 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/12 * DNIS:2738300 * CSID:6096312401 * DURATION (mm-ss):05-38



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SIMPLIFIED CHRONOLOGY GE-06987A 09/375,695

Date

Action

8/17/99 APPLICATION FILED

9/17/99 FILING RECEIPT RECEIVED. Addressed to Lockheed Martin Corporation, Bldg 28, box 8048 Phila. 19101

11/4/99 ASSIGNMENT RECEIPT RECEIVED. Addressed to Lockheed Martin Corporation, 680 American Avenue, King of Prussia, PA

4/7/00 CHANGE OF ADDRESS mailed. Lockheed Martin Corporation, Bldg 27, box 1561 King of Prussia, PA

4/13/00 Patent Office Receipt, Change of Address

3/15/01 OFFICE ACTION (non-final). Claims 1-12 rejected.

6/13/01 RESPONSE TO OFFICE ACTION.

6/15/01 Patent Office Receipt stamp of Response

6/21/01 Letter to Official Draftsman. (Formal Drawings).

6/28/01 Patent Office Receipt of Letter to Draftsman.

8/27/01 OFFICE ACTION (non-final). Dwgs approved, claims 1-12 rejected. Addressed to Lockheed Martin Corporation, Bldg 27, box 1561 King of Prussia. Includes a PTO-326, part of Paper #7, making rejection FINAL.

11/3/01 NOTICE OF APPEAL, BRIEF ON APPEAL

to customer number 28581.

- 4/1/02 OFFICE ACTION (non-final) mailed to Lockheed Martin Corporation Bldg 27 King of Prussia.
- 4/4/02 Patent Office stamped Receipt of Change of Address. Notwithstanding the stamping of the



post-card receipt, does not appear to have made its way into the PAIR file.

- 4/1/02 Reopening of Prosecution mailed to Bldg 27, King of Prussia.
- 6/18/02 REINSTATEMENT OF APPEAL, SUPPLEMENTAL BRIEF ON APPEAL
- 6/24/02 Patent Office receipt stamp of Reinstatement, Supplemental Brief
- APPLICANT UNTIL FAX OF 4/1/03 No NOA/IFD in file.
- Lockheed Martin Corporation Bldg 27, box 1561, King of Prussia.
- 4/4/03 PETITION TO WITHDRAW NOTICE OF ABANDONMENT.
 Express Mailed with supporting data
- 10/17/03 fax from Susan to Examiner Thomson with copy of petition in 12 pages of documents, per Facsimile Transmittal Sheet. PTO fax receipt auto-reply
- 1/20/04 PTO fax receipt for Petition to Withdraw Holding of Abandonment

DM3\751409.1



BEST AVAILABLE COP Docket No. Change Of Attorney Or Agent's Address In Application GR-06987A (37 CFR 1.8(a)) In Re Application Of: Hoyle et al. Group Art Unit Examiner Filing Date Serial No. 2855 8/17/99 J. Thompson 09/375,695 invention: CONSTANT-TEMPERATURE-DIFFERENCE FLOW SENSOR, AND INTEGRATED FLOW, TEMPERATURE, AND PRESSURE SENSOR TO THE ASSISTANT COMMISSIONER FOR PATENTS Please send all correspondence for this application to: The address associated with customer number 28581 Please direct all telephone calls to: William H. Meise 609-919-4453 Dated: 3/22/02 William H. Melse certify that this document is being deposited on Reg. No. 27,574 with the U.S. Postal Service as first Duane Morris LLP class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 100 College Road West, Suite 100 Princeton, NJ 08540 609-919-453

Registration Number & Address of Attorney or Agent of Record

RECEIVED **CENTRAL FAX CENTER**

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GE-06987A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Art Unit: 2855

Hoyle et al.

Serial No.: 09/375,695

Attorney Docket No: GE-06987A

Filing Date: 8/17/99

For CONSTANT-TEMPERATURE-DIFFERENCE FLOW SENSOR, AND INTEGRATED FLOW, TEMPERATURE,

AND PRESSURE SENSOR

March 22, 2002

Office of Initial Patent Examination's Customer Service Center U.S. Patent and Trademark Office Washington, DC 20231

FILING RECEIPT CORRECTION

Sir:

We are in receipt of the filing receipt for the above-captioned matter, a copy of which is enclosed herein. A request is hereby made for a corrected Filing Receipt.

Please correct the name of the third inventor to read "Michael Anthony McSweeney" as shown in the attached Declaration which was filed with the application on August 17, 1999.

No fee is believed due in connection with this Request. In the event a fee is deemed necessary, authority is hereby given to charge against Deposit Account No. 04-1679.

spectfully submitted

William H. Meise Reg. No. 27,574

Duane, Mosris LLP 100 College Road West, Suite 100 Princeton, New Jersey 08540 (609) 919-4453 - Tel (609) 919-4401 - Fax

I hereby certify that this Filing Receipt Correction is being mailed via first class with the United States Post Office under 37 CFR §1.10 on the date indicated above and is addressed to the Office of Initial Patent Examination's Customer Service Center, U.S. Patent and Trademark Office, Washington, DC

Susan Barlett

PAGE 7/21 * RCVD AT 8/21/2006 11:37:21 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/12 * DNIS:2738300 * CSID:6096312401 * DURATION (mm-ss):05-38

BEST AVAILABLE COPY Ø 008/021 08/21/2008 11:40 FAX 80983124 DUANE MORRIS LLP fater -0-0-2:4 ASSIGNEE:_ APPLICATION FOR LETTERS PATENT UNITED STATES (609)60B.40<u>29</u>1 ROMMS7104 Bacter 387-6887 INVENTOR(B) FOR DERIVED CASE(S) SEE UNITED STATES POREIGN PRIORITY APPLICATION CONTINUATION REISSUE CONT. OF -NOTEL POREIGN FIUNG C. I. F. OF -LICENSE NO. REISSUE OF . PROSECUTION RECORD RESPONSE FILED RESPONSE DUE DATE NATURE OF PAPERS SENT OR RECEIVED 8-17-99 4-7-07 6-13-61 6-15-01 3-15-01 6-25-01 03/01 1-27-01 8-27-01 <u>g. aJ. 02</u> 3.22.03 3.24.00 3.22.13 0.18.02 1.02 4-1-02 4.2.03 5.5.13

> RECORDED 8/17/99 REEL ASSIGNED TO. GOVERNMENT CONTRACT NO. 181. this or any family related case selected for foreign filing: () yes () no IF "YES", SEND TO. FOREIGH PATENT ATTORNEY IAI COPIES OF ALL PAPERS FILED WITH OR RECEIVED FROM THE USPIO.

(B) WARNING OF ANY POSSIBLE ADDITIONAL LICENSE REQUIREMENTS.

TITLE AMENDED	ABSTRACT AMENDED	
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U.S. PATENT AND TRADEMARK OFFICE

In re: Patent Appln. SN 09/375,695 Docket No.: GE-06987A

Filed: 8/17/99

Tide: CONSTANT-TEMPERATURE-DIFFERENCE FLOW SENSOR, AND INTEGRATED FLOW, TEMPERATURE, AND

PRESSURE SENSOR

The USPTO acknowledges and has stamped hereon the date of receipt of the following items: Request for corrected filing receipt; change of address; postcard.

WHM/sb PHIMPHPALI

3/22/02

U.S. PATENT AND TRADEMARK OFFICE

In re: Patent Applin. SN 09/375,695

Docket No.: GE-06987A

Filed: 8/17/99

Title: CONSTANT-TEMPERATURE-DIFFERENCE FLOW

SENSOR, AND INTEGRATED FLOW, TEMPERATURE, AND PRESSURE SENSOR

The USPTO acknowledges and has stamped hereon the date of receipt of the following items: Request for corrected filing receipt; change of address; postcard.

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DATE MAHLED: 02/05/2003



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APPLICATION NO.	FILING DATE	FERST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFERMATION NO.
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608-BLDG.27 POBOX 1561				
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Please find below and/or attached an Office communication concerning this application or proceeding.





			ATTURNEY DOORET NO.
APPLICATION NUMBER	FILMS DATE	FIRST NAMED APPLICANT	ATTOMET GOODET MA

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DATE MAILED:

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	NOTICE OF ABANDONMENT	
Thie	application is abandoned in view of:	
	Applicant's failure to timely file a proper response to the Office letter mailed on	•
	A response (with a Certificate of Mailing or Transmission of) which is after the copiration of the period for response (including the copiration the copiration of the period for response (including the copiration t	was received on ng a total extension of
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	A proposed response was received on, but it does not constitute rejection.	
	(A proper response to a final rejection consists only of: a timely filed amendment which condition for allowance; a Notice of Appeal; or the filing of a continuing application unit	h places the application in der 37 CFR 1.82 (FWC).
	☐ No response has been received.	
Д,	Applicant's failure to timely pay the required issue fee within the statutory period of three fit of the Notice of Allowance.	
	☐ The Issue fee (with a Certificate of Mailing or Transmission of) with a Certificate of Mailing or Transmission of)	
	The submitted issue fee of \$is insufficient. The issue fee required by 37 C	FR 1.18 is \$
	The Issue fee has not been received.	
	Applicant's failure to timely file new formal drawings as required in the Notice of Allowabili	ty. ˙
	Proposed new formal drawings (with a Certificate of Malling or Transmission of	
	The proposed new formal drawings filed are not acceptable.	
	☐ No proposed new formal drawings have been received.	•
	The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on	
	The letter of express abandonment which is signed by the attorney or agent of record, the interest, or all of the applicants.	
	The letter of express abandonment which is signed by an atterney or agent (acting in a re 37 CFR 1.34(a) upon the filing of a continuing application.	epresentative capacity under
	The decision by the Board of Patent Appeals and Interferences rendered on	and because the period
_	for seeking court review of the decision has expired and there are no allowed claims.	AS POOMENT
	The reason(s) below:	CONTACT PERSON IS:

PAGE 11/21 * RCVD AT 8/21/2006 11:37:21 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/12 * DNIS:2738300 * CSID:6096312401 * DURATION (mm-ss):05-38



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Certificate of Mailing Porsuant to 37 C.F.R. & 1.10

I hereby certify that this paper, and any paper or les referred to as bring transmitted herewith, is being deposited with the United States Postal Service's "Express Mail Post Office to Addressed" Express No. (V(VV) () 6 () ander 37 C.P.R. () 1.10 on the date indicated below and addressed to: ASSISTANT COMMISSIONER FOR PATEINTS, Washington, D.C. 20231.

Stan Burlet
Name of Person Mailing Paper

Signature of Person Mailing Paper

IN THE UNITED STATES PAT	ENT AND TRADEMARK OFFICE
In re application of: Hoyle	Examiner: Jewel Vergie Thompson
Serial No.: 09/375,695	Group Art Unit: 2855
Filed: August 17, 1999	Docket No.: GE-06987A
For: CONSTANT-TEMPERATURE- DIFFERENCE FLOW SENSOR, AND INTEGRATED FLOW TEMPERATURE AND PRESSURE SENSOR	Date: April 4, 2003

Commissioner for Patents Washington, DC 20231

Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE NOTICE OF ALLOWANCE

Applicant hereby petitions under 37 CFR 1.181 and MPEP 711.03(c) for withdrawal of the holding of abandonment of the above-identified application, as the Notice of Allowance mailed by the examiner in this application has not been received by the undersigned attorney's law office.

On March 22, 2002, a change of address was filed in the U.S. Patent Office, along with a Request for Corrected Filing Receipt, a copy of which is enclosed. On June 18, 2002, a Supplemental Appeal Brief and Request for Reinstatement was also filed in regard to the above-identified application.

PTN/33428.1



On February 5, 2003, a Notice of Abandonment was mailed in the present application for non-payment of an issue fee. This paper was not mailed to the correct address, as shown in the change of address form.

A phone call was made to the Examiner shortly after receipt of the Notice of Abandonment and the Examiner indicated that on September 25, 2002, a Notice of Allowance was mailed in the above-captioned application.

A search of the undersigned attorney's office records including the application file jacket and docket records indicates that the Notice of Allowance mailed on September 25, 2002 was never received by this office. A copy of the docket record where the non-received Notice of Allowance would have been entered is attached hereto.

This petition is believed to be timely under 37 CFR 1.181 (f), as it was filed within two months of the discovery by the undersigned attorney of the present application going abandoned. Applicant respectfully requests when the holding of abandonment is withdrawn, a copy of the Notice of Allowance and Notice of Allowability be reissued to the Application.

No fee is believed to be due as a result of this communication. The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,

William H. Meise, Esq.

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Reg. No. 27,574

DUANE MORRIS, LLP 100 College Road West, Suite 100 Princeton, New Jersey 08540 (609) 919-4453 (609) 919-4401 -- facsimile

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DATE

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Pursuant to our conversation, attached please find copies of all documents which were express mailed on April 4, 2003. Thank you for you help in this matter.





Driane Morris LLP 100 College Road West, Suite 100 Princeton, NJ 05540-6604 PRIONE: 609-919-4400 FAX: 609-919-4401

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MESSAGE:

Per our phone conversation, attached is the Petition to Withdraw Holding of Abandonment which has been submitted twice previously. Thank you for your help in this

matter.

Sue

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